



## DEPARTMENT OF INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

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**GINO P. MENCHINI**

*Commissioner  
Chief Information Officer*

June 13, 2003

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: CC Docket 95-116: CTIA Petition for Declaratory Ruling on Local Number Portability Issues

Dear Secretary Dortch:

I am submitting this letter on behalf of the City of New York in reference to the above captioned Petition.

The City here requests that the Commission not delay the November 24, 2003 deadline for implementing wireless local number portability as a means of addressing the implementation issues raised in the Petition. In its July 16, 2002 Memorandum Opinion and Order granting wireless carriers a one-year extension of their number portability responsibilities, the Commission stated that the extension would "allow adequate time to resolve all outstanding LNP implementation issues." As the new deadline now approaches, wireless consumers should not be forced to bear the brunt of a lack of resolution (or of a purported lack of resolution) of certain of these implementation issues.

In particular, the Petition claims that resolution by Labor Day, September 1, 2003 of various duties of both wireless and wireline carriers "is critical if the Commission intends to adhere to its November 24, 2003 deadline." The City does not here assert substantive positions on the particular implementation issues raised by the CTIA (although the City may opt to do so in reply comments). Nor does the City speculate as to whether resolution of each and every one of these issues is actually "critical" to timely implementation of local number portability (although the City does note that the CTIA has made no secret of its desire to push back the new implementation date). Rather, the City states its strong belief that these issues must be sorted out, as necessary, without any further delay in the local number portability deadline.

The City trusts that the Commission will act accordingly in this regard to promote wireless competition and consumer choice.

Sincerely,

/s/

Gino P. Menchini

cc: Mayor Michael R. Bloomberg